TILLAMOOK CITY COUNCIL MEETING
TUESDAY, SEPTEMBER 8, 2009 - 7:30 P.M.
CITY HALL, 210 LAUREL AVENUE

WORKSHOP: City Council workshop at 6:00 P.M. to hear Wastewater Treatment Plant update from Kennedy Jenks Engineer representative Chuck McDonald. Scheduled for 6:30 P.M. is discussion on Tillamook County Transit District & City Lease Agreement with a possible Executive Session under ORS 192.660 (2) (e) – Real Property.

CALL TO ORDER/FLAG SALUTE:

Mayor McPheeters called the regular City Council meeting to order at 7:34 P.M. and led the Pledge of Allegiance.

ROLL CALL:

Those present for roll call:

Mayor Bob McPheeters
Councilor Joe Martin
Councilor Carolyn Decker
Councilor Suzanne Weber
Councilor John Sandusky
Councilor Willard Berry

Absent:

Councilor Steven Forster (Excused)

Staff Present:

Mark Gervasi, City Manager
John Putman, City Attorney
Terry Wright, Chief of Police
Tim Lyda, Assistant Public Works Director
Mary Tucker, Secretary

AGENDA:

The posted agenda for the meeting of August 17, 2009 is attached and by this reference is made a part of the record.

ADDITIONAL INFORMATION PROVIDED TO MEMBERS AFTER PACKET ISSUED:

(Copies attached)

1. Voucher Register for current bills to be reviewed for payment.

OTHER:

Councilor Weber asked if the Rotary Club issue at Peace Park on 9th Street had been taken care of. Gervasi said he would check with the Public Works Director when he returns from vacation. Councilor Berry asked about the recognition of Robert Riggert as proposed by Don Hurd from the April 20th meeting has been addressed.

PROCLAMATION: NONE.

Tillamook City Council Meeting
Sept. 8, 2009

MINUTES:

Council minutes of April 20, 2009 were available and included in Council packets. There were no additions, deletions or corrections. **Councilor Sandusky moved approval of the minutes of April 20, 2009. Councilor Berry seconded the motion. Motion carried unanimously by Council seated.**

PRESENTATION: NONE.

MONTHLY REPORT:

City Manager:

- Councilor Forster & Councilor Decker met with Transit District Board members regarding the lease for the building. More details will be given under Council Concerns.
- Updated Council on the WWTP new sewer outfall line into the Trask River.
- First reading tonight on amendment to Ordinance on City Committees.
- Gervasi recommends not having public hearing on water/sewer door hanger $25 delinquent fee notice until Council has a study session on the issue at a later date. Gervasi introduced Tim Lyda, Water Department who explained the process of delinquency for water bills. Gervasi said he would recommend the staff meet and discuss the issues and then set a time for a workshop at the next meeting. Council agreed.
- He and his assistant are providing staff support to Urban Renewal Agency. They meet on the second and fourth Thursdays at 5:30 P.M. at City Hall.
- Working with DEQ to secure additional State Revolving Loan funds as part of our SRF 91567 loan to complete upgrades to the WWTP project. We should know by the end of the month if additional monies are available to us. He will keep Council advised.
- Cedar Avenue between Front and Third Streets has been overlaid as well as Fir Avenue between First and Second Streets. First Street between Main and Elm Avenues is scheduled for an asphalt overlay in the next few weeks.
- Working with land surveyor Terry Jones in putting together legal descriptions and a map for properties whose owners have signed Consent to Annex forms. He is also working on new Ward map legal descriptions. Gervasi will check to see when they will be complete.
- He intends to have the updated Employee Handbook completed and ready for the Personnel Committee for review by October 1, 2009.
- Attached is report from David Mattison, Planner.

Chief of Police:

- Fair went well with no serious issues.
- He met with the County regarding Fair parking issues and the County has agreed to meet with the City next year before the fair. Council is supposed to approve and new signs within an annexation. That didn't happen from the last annexation.
- The department is still down two officers. There is still hope that additional funding would be given to the COPS grants.
- Chief read an excerpt from the State of Oregon Status of Children report. The report stated that 10,421 Oregon children were victims of child abuse or neglect in 2008.

Public Works Department:

In the absence of the Public Works Director, Tim Lyda, Assistant Public Works Director referred to the report included in Council packets.

Municipal Court:

Mayor McPheeters referenced Judge Dolan's report that was included in Council packets.

PUBLIC HEARINGS:

1. CITIZEN HEARINGS - NON-AGENDA ITEMS: NONE.

2. COUNCIL CONCERNS - NON-AGENDA ITEMS:

Councilor Decker said that she and Councilor Forster met with Transportation District board members Robert Kinney and Janet Trueblood to discuss the Transit Center lease agreement. The meeting went well and she asked the City Attorney to explain the outcome. City Attorney Putman said that at the direction of Council he would prepare an offer of lease for the Transit Center District building consistent with the intentions of the Council.

Councilor Decker moved to have the City Attorney prepare the lease and give it to the City Manager to present to the Transportation District Board at their Tuesday meeting. Councilor Berry seconded the motion. Motion carried unanimously by Council seated.

Councilor Weber said that the Beautification Committee met this afternoon to discuss the dispersal of the Transient Room Tax. With Council's approval the committee recommends that two line items be consolidated for a total of $61,000 and that an announcement be put in the newspaper extending the application deadline to September 30th.

Councilor Sandusky moved to accept the recommendation of the Beautification Committee on how to handle the distribution of the Transient Room Tax funds. Councilor Berry seconded the motion. Motion carried unanimously by Council seated.

Councilor Berry said that he attended a meeting of the Solid Waste Advisory Committee today. He learned that he is representing all the cities in the county and he hopes that anyone with concerns would contact him. He learned that the County Public Works department has obtained 40 containers they will loan out for special projects or events.

Councilor Martin said there was a lot of trash accumulating at the west end of Cedar Plaza Apartments. It was noted.

PERMITS & LICENSES: NONE

COMMITTEE REPORTS: NONE

NEW BUSINESS:

- **Tillamook County Historical Society – request to rename Marine Park. Councilor Berry** referenced the letter of request from the Historical Society President Sally Rissel to rename Marine Park to Sue H. Elmore Park after the ship that took passengers and hauled freight up the Hoquarton Slough. Councilor Weber said that representatives from the Historical Society attended a Beautification Committee meeting in the spring to present their idea. Improvement to Marine Park is on the Strategic Plan of the Public Works Department. Gervasi recommended the Beautification Committee look into the requirements to change the Park name and report back to the Council at a later date. Council agreed.

- **ODOT HWY.101/US6 Project as it relates to parking – Gervasi** suggested September 21, 2009 at 6:30 P.M. for a workshop with ODOT. Council agreed.

OLD BUSINESS:

- **Appoint Council Members for Committee Vacancies**

Mayor McPheeters said the appointments would remain in effect until January 2010.

Councilor Sandusky moved to approve the Tillamook City Committee Members 2009-2010 list as submitted by Mayor McPheeters. Councilor Weber seconded the motion. Under discussion **Councilor Berry** asked if, serving on the Associations Committee, he was expected to attend all the committees meetings or just report on those committees. **Councilor Sandusky** responded that he felt if there were issues regarding a particular association; the Associations Committee would look into it and report back to Council. **Gervasi** agreed. Councilor Weber said that she thought she had been appointed as the City representative to the Tillamook Revitalization Association. She has been attending their meetings. **There being no further discussion the motion carried unanimously by Council seated.**

LEGISLATIVE

1. **BAY CITY/CITY OF TILLAMOOK WATERLINE INTER-TIE AGREEMENT**

Gervasi stated the purpose of the agreement for a water main inter-tie between the City of Bay City and the City of Tillamook is for an emergency water supply in the event the need arises for either entity. Staff recommends approval of the agreement. Tim Lyda went into more detail on the emergency plan.

Councilor Martin moved approval of the Intergovernmental Agreement between the City of Tillamook and City of Bay City for a waterline inter-tie at the Wilson River crossing. Councilor Weber seconded the motion. Under discussion **Councilor Berry** asked how long Bay City could provide water to Tillamook in case of an emergency. **Lyda** responded between 500-1,000/gallons per minute. The agreement states that either entity providing the water need only provide water which is in excess of the daily use for its own users. Only surplus water would be used. **There being no further discussion the motion carried unanimously by Council seated.**

2. **ORDINANCE AMENDING ORDINANCE NO. 720, RULE 5 OF SECTION 5 RELATING TO RULES AND COMMITTEES OF THE COUNCIL – FIRST READING**

Councilor Martin asked to have Section 2 (d) Committee on Public Safety corrected to read Fire District (not Fire Department). It was noted.

Councilor Sandusky moved to have the first reading of the ordinance amending Ordinance No. 720, Rule 5 of Section 5 relating to Rules and Committees of the Council by title only. Councilor Weber seconded the motion. Under discussion **Councilor Berry** asked for clarification. **Gervasi** responded the only change to the existing ordinance is Rule 4 Section 5. **There being no further discussion the motion carried unanimously by Council seated.** The ordinance was read by title only by Mary Tucker. **Mayor McPheeters** announced that the second reading of the ordinance would be at the September 21, 2009 meeting.

3. **RESOLUTION DESIGNATING THE CITY COUNCIL'S INTENTION TO PERMIT RECREATIONAL USE OF CITY PARKS (EXHIBIT A) CONSISTENT WITH OTHER AREAS GENERALLY REGARDED AS OUTDOOR RECREATIONAL AREAS UNDER ORS 105.682**

Gervasi explained that this resolution was suggested by our insurance carrier to limit our liability.

Councilor Weber moved to adopt the resolution designating the City Council's intention to permit recreational use of City parks (Exhibit A) consistent with other areas generally regarded as outdoor recreational areas under ORS 105.682. Councilor Sandusky seconded the motion. Under discussion **Councilor Berry** asked what would happen to the Tillamook RV property. **Gervasi** responded that the property would be open space under FEMA rules. Buildings would be demolished. **Councilor Weber** asked if the report on the open space that the City commissioned be available soon. **Gervasi** said yes. There is to be a meeting on October 6, 2009 to discuss the findings on the drawings and open space and to look at three areas that could be considered for relocation sites for businesses. **Gervasi** offered to drive any councilors wishing to attend the meeting. **There being no further discussion the motion carried unanimously by Council seated.**

MAYOR'S REPORT:

Mayor McPheeters gave the Council an update on the Small Cities Network meeting. He attended with the City Manager. They heard a report from the Northwest Oregon Regional Housing Authority, a program of the Community Action Team, Inc. They also heard from Matt Mumford, Tillamook County Transportation District Manager on the services they have to offer. Lastly, Jennie Messmer from the League of Oregon Cities spoke on the educational programs sponsored by the League.

OTHER:

Councilor Martin spoke of the letter from Butch Parker on the intergovernmental agreement for building and zoning permits. He spoke of a personal experience in tearing a house down. Gervasi agreed that there needs to be some discussion on permits and fees and responsibilities of the city and county.

STAFF CORRESPONDENCE/COMMUNICATION:

Gervasi said he had a brochure available for Council to look at from the Northwest Oregon Regional Housing Center, Community Action Team, Inc. The ODOT Project Status Report is for Council information and needs no discussion.

AUTHORIZATION TO PAY BILLS:

The Finance Committee had reviewed the current bills prepared for payment. **Councilor Martin moved to pay the bills approved by the Committee. A second was made by Councilor Weber. Council seated approved the motion unanimously.** Bills were paid in the following total amount. A copy of the voucher register is attached and by this reference is made a part of the record.

GENERAL CHECKING ACCOUNT

Special Batch 8/20/09	**Check #26977-26988**	**$ 12,336.53**
Special Batch 8/27/09	**Check #26989**	**$ 330.00**
Special Batch 9/08/09	**Check #26990**	**$ 154.00**
A/P Batch 9/08/09	**Checks #26991-27089**	**$ 364,652.51**

ADJOURNMENT:

There being no further business Mayor McPheeters adjourned the meeting at 8:58 P.M.

APPROVED:

_____
Mayor

ATTEST:

_____
City Recorder